

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
STACY SHAVNEY,

: Plaintiff,

: -against-

CAPITL ONE BANK (USA), NATIONAL  
ASSOCIATION and TRANSUNION, LLC,

: Defendants.

-----X  
VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on March 19, 20921, (Doc. 1), and filed an executed waiver of service by Defendant Capital One Bank (USA), National Association (“Capital One”) on June 15, 2021, (Doc. 11). The deadline for Defendant Capital One to respond to Plaintiff’s complaint was August 16, 2021. (*See* Doc. 11.) To date, Defendant Capital One has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment as to Defendant Capital One she is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than September 2, 2021. If Plaintiff fails to do so or otherwise demonstrate that she intends to prosecute this litigation, I may dismiss this action as to Defendant Capital One for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: August 19, 2021  
New York, New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/19/2021

21-CV-2420 (VSB)

**ORDER**

  
\_\_\_\_\_  
VERNON S. BRODERICK  
United States District Judge